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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/808,248	03/24/2004	Elmer M. Price	UVMO:024US

CONFIRMATION NO. 4363

32425  
 FULBRIGHT & JAWORSKI L.L.P.  
 600 CONGRESS AVE.  
 SUITE 2400  
 AUSTIN, TX 78701

## FORMALITIES LETTER



\*OC000000012526718\*

Date Mailed: 05/04/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12/10/2004 MAHME1 00000046 10808248

FILED UNDER 37 CFR 1.53(b)

02 FC:2001	395.00 OP
03 FC:2051	65.00 OP
04 FC:2201	132.00 OP
05 FC:2202	135.00 OP

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - Numbers, letters, and reference characters on the drawings must measure at least 0.32 cm (1/8-inch) in height. See Figure(s) 4.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content

of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$264** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

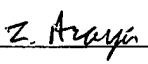
Total additional fee(s) required for this application is **\$714** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$264**
  - **\$129** for **3** independent claims over 3.
  - **\$135** for **15** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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***A copy of this notice MUST be returned with the reply.***

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**



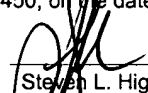
## FULBRIGHT & JAWORSKI L.L.P.

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December 6, 2004

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
December 6, 2004	
Date	Steven L. Highlander

**MS MISSING PARTS**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/808,248 entitled "METHOD OF TREATMENT OF ENDOTHELIAL DYSFUNCTION AND ENGINEERED PROTEINS FOR SAME" – by Elmer M. Price et al.*  
*Our reference: UVMO:024US*  
*Client reference: 02UMC062*

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed May 4, 2004;
- (2) Two Declarations;
- (3) Power of Attorney;
- (4) Substitute Drawings, Figures 1-8 on 7 sheets;
- (5) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (6) Computer Readable Form of Sequence Listing;

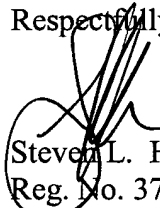
25409371.1

Commissioner for Patents  
December 6, 2004  
Page 2

- (7) Paper Copy of Sequence Listing;
- (8) Request for Extension of Time;
- (9) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (10) Check in the amount of \$714.00; and
- (11) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included, the Commissioner is authorized to deduct or credit the appropriate fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/UVMO:024US.

Respectfully submitted,



Steven L. Highlander  
Reg. No. 37,642

SLH/mar  
Encl: as noted



PATENT  
CUSTOMER NO: 32425

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Elmer M. Price *et al.*

Serial No.: 10/808,248

Filed: March 24, 2004

For: METHOD OF TREATMENT OF  
ENDOTHELIAL DYSFUNCTION AND  
ENGINEERED PROTEINS FOR SAME

Group Art Unit: 1614

Examiner: Unknown

Atty. Dkt. No.: UVMO:024US

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
December 6, 2004	
Date	Steven L. Highlander

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 CFR 1.53(B)**

MS MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b), dated May 4, 2004, enclosed are:

- (a) Two Declarations executed on behalf of Elmer M. Price, Harold Laughlin, Chris Woodman, Miles Tanner and Michael Sturek;
- (b) A Power of Attorney on behalf of The Curators of the University of Missouri;
- (c) Substitute Drawings, Figures 1-8 on 7 sheets;
- (d) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);

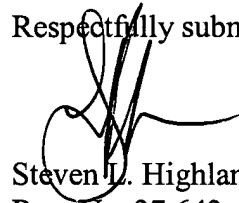
- (e) Computer Readable Form of Sequence Listing;
- (f) Paper Copy of Sequence Listing;
- (g) Our check in the amount of \$1767.00 to cover the basic filing fee (\$395.00 – utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$267.00); five month extension of time fee (\$1040.00);
- (h) A copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b); and
- (i) A Request for Extension of Time of five months to and including December 4, 2004. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

An Assignment to The Curator of the University of Missouri and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/UVMO:024US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Steven L. Highlander  
Reg. No. 37,642  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: December 6, 2004